



To: The Virginia Housing Commission

09/12/2013

Subject: **Tysons Transportation Service District tax**

From: Ron Parson, Treasurer, Townhouse at the Reserve HOA
David Dunlap, Vice President, Courts of Tysons HOA

The Tysons Transportation Service District levies an additional real estate tax on “property (that) will receive a benefit from the service the district supports.”¹

Fairfax County includes us (247 homes) in that Tysons tax District – even though the County cannot name a benefit that does not *also* apply to our un-taxed neighbors across the street or *adjoining our backyards* but outside the tax boundary.

The stated benefit that supposedly makes us taxable is “access to new and improved transportation facilities”² – who *doesn't* that apply to? It applies to all residents of Fairfax County, commuters passing through on Routes 7 & 123, and indeed to anyone using those parts of I-495 and the Dulles Airport Access Road inside the Tysons tax District.

Ninety-five percent of development will occur within a half-mile of the four new Silver Line Metro stations, according to Fairfax County Transit Development Plan. As shown on the attached map, we are well outside that distance. Strangely, some neighborhoods within that 95% development zone are outside the boundary and *not* taxed extra.

Already, we pay for our own roads and a commuter bus to the Dunn Loring Metro station, a full mile outside the Tysons tax District. If relative closeness to Tysons (a mixed blessing) causes our property values to rise, our basic County real estate taxes automatically rise also. And with a County development plan set to dramatically increase the Tysons housing supply, predicting rising house prices *outside* the 95% development zone is simply speculation.

A precedent tax District, the Dulles Rail District, justified taxes on commercial and industrial property *only* (not residential) by granting additional development rights to those property owners. We have received no new rights; and what would be the point?

On what defensible basis are we inside the Tysons tax boundary?

Request

We respectfully request that the Housing Commission recommend strongly to the General Assembly that:

- Fairfax County is required to adjust the boundary of the Tysons Transportation Service District to exclude neighborhoods that do not demonstrably have named, specific benefits, so that landowners *just inside* the boundary have named, specific benefits that landowners *just outside* the boundary, do not have.

Courts of Tysons HOA, management@courtsoftysons.org
(155 townhouses)

Townhouse at the Reserve HOA, P.O. Box 85, Dun Loring, Virginia 22027-0085
(92 townhouses)

¹ Fairfax County Chairman of the Board of Supervisors, Ms. Sharon Bulova, email of March 6, 2013, to Daniel Dornan (attached).

² Fairfax County Chairman of the Board of Supervisors, Ms. Sharon Bulova, email of March 21, 2013, to Ron Parson (attached).

Footnote 1

On Mar 6, 2013, at 9:47 AM, <chairman@fairfaxcounty.gov> wrote:

Dear Mr. Dornan:

Thank you for writing to share your concerns about the Tysons Transportation Service District. I want to assure you that the service district is in fact dedicated to transportation.

I understand your confusion because a number of sources, including the County's news release, use the term 'Tysons Service District'. However, the amendment to Fairfax County Code advertised before the December 4th Board Meeting and approved at the January 8th Meeting was the creation of a Tysons Transportation Service District.

Government transparency is critical in a representative democracy and Fairfax County strives to make records readily available to residents. All Board of Supervisors Meetings are public meetings and records are kept of the actions and votes at these meetings.

Attached is an excerpt from the Clerk to the Board's Official Summary of the Board Meeting on January 8th. The summary can be viewed in its entirety here: <http://www.fairfaxcounty.gov/bosclerk/summary/2013/13-01-08.pdf>. Pages 40 through 42 cover the vote on the Tysons Transportation Service District.

Board meetings are also broadcasted live on Fairfax County's Cable Channel 16 and recorded for review by residents who were unable to watch live or attend. Here is a link to the [video archive of Board Meetings](#). If you follow the link for the January 8th meeting, you can use the agenda to advance the video to the 3:00 PM public hearings and action items to view the motion and vote on the creation of the Tysons Transportation Service District.

I appreciate your writing to bring this inconsistency to my attention. I will follow up with the County's Office of Public Affairs to make sure that this is clarified on the Tysons section of the County's website.

With regard to exempting existing residents, I share your concerns about their inclusion in the service district. Unfortunately, under existing state laws, the County does not have the authority to exempt specific classes of property from a service district if the property will receive a benefit from the service the district supports. During the 2013 General Assembly session, Fairfax County lobbied the Virginia General Assembly for a legislative solution to this issue and the County will continue to work with our local General Assembly delegation on a solution in future sessions.

Sincerely,
Sharon Bulova

Footnote 2

From: <chairman@fairfaxcounty.gov>

Subject: Responding to your message

Date: March 21, 2013 9:45:36 AM EDT

To: <ronparson10@gmail.com>

Dear Mr. Parson:

Thank you for contacting me with your question regarding the boundaries of the Tysons Transportation Service District. The overall boundaries for the service district are patterned on the long-standing conventional boundaries of Tysons.

With regard to your question about the case where one property is included and another one directly behind it is not, we may be able to provide a more satisfactory answer if there is a particular location you have in mind. Speaking to the general case, the answer which county staff provided previously – access to new and improved transportation facilities – is correct.

I do appreciate your comments about access to transit and the County is working to improve access to Tysons through a variety of transportation modes. The plans presented for the new Fairfax Connector service to support the Silver Line are draft plans and members of Fairfax County Department of Transportation staff are in the process of revising these plans to reflect the comments they received from the community.

Although the initial comment period closed on February 28th, there will be an opportunity to make further comments when the Board receives the revised plans later this summer. Please feel free to contact my office or Fairfax Connector at fairfaxconnector@fairfaxcounty.gov if there is specific service you would like to see.

I hope this answers your questions. Thanks again for volunteering to serve on the Advisory Council.

Sincerely,

Sharon Bulova